

# **EXHIBIT 1**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

THE TRUSTEES OF COLUMBIA UNIVERSITY IN  
THE CITY OF NEW YORK,

*Plaintiff,*

v.

ENCYCLOPAEDIA IRANICA FOUNDATION, INC.,

*Defendant.*

**Case No.: 1:19-cv-7465-AT-JW**

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ENCYCLOPAEDIA IRANICA FOUNDATION, INC.,

*Plaintiff,*

v.

THE TRUSTEES OF COLUMBIA UNIVERSITY IN  
THE CITY OF NEW YORK, ELTON DANIEL, AND  
KONINKLIJKE BRILL, N.V.,

*Defendants.*

**Case No.: 1:19-cv-8562-AT-JW**

**[PROPOSED] STIPULATION  
AND ORDER AMENDING  
THE PROTECTIVE ORDER**

WHEREAS, on January 26, 2022, Encyclopaedia Iranica Foundation, Inc. (“EIF”), the Trustees of Columbia University in the City of New York (“Columbia”), Elton Daniel, and Koninklijke Brill, N.V. (collectively, the “Parties”) jointly submitted to the Court a Proposed Stipulated Protective Order pursuant to Federal Rule of Civil Procedure 26(c) (the “Protective Order”). (*See* ECF No. 157.)

WHEREAS, on February 9, 2022, the Court so ordered the Protective Order. (*See* ECF No. 161.)

WHEREAS, the Protective Order provided that it may be modified by agreement of the Parties or in the interests of justice, subject to approval by the Court. (*See* ECF No. 161, ¶¶ 26, 27.)

WHEREAS, EIF's First Amended Complaint brought a claim for replevin against Columbia seeking the return of certain records under Columbia's dominion and control.

WHEREAS, as part of their settlement of the above-captioned matters, including EIF's replevin claim, EIF and Columbia have agreed that Paragraph 21 of the Protective Order should be modified as set forth below, and that the remainder of the Protective Order shall remain in effect.

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED among the undersigned parties, subject to the Court's approval, that Paragraph 21 of the Protective Order shall be modified, as follows:

21. Final Disposition of Confidential Information: Except as provided in this Paragraph 21, upon final termination of this action, including any and all appeals, counsel for each party must destroy all Confidential Information produced in this litigation, including any copies, excerpts, and summaries of that information, and must purge all such information from all machine-readable media on which it resides. Notwithstanding the foregoing, counsel for each party may retain all pleadings, briefs, memoranda, motions, and other documents filed with the Court that refer to or incorporate Confidential Information, and will continue to be bound by this Protective Order with respect to all such retained information. Further, attorney work product materials that contain Confidential Information need not be destroyed, but, if they are not destroyed, the person in possession of the attorney work product will continue to be bound by this Protective Order with respect to all such retained information. In addition, this paragraph does not

apply to the following categories of Confidential Information that Columbia produced to EIF: (1) any EIF business records that were produced in this litigation by Columbia to EIF; and (2) any other records produced in this litigation by Columbia that EIF deems, in its sole discretion, to be necessary to the future publication of the *Encyclopaedia Iranica*, with the exception of exclusively internal Columbia communications.

Dated: June 2, 2023

Respectfully submitted,

**LEVINE LEE LLP**

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*Attorneys for The Trustees of Columbia  
University in the City of New York*

SO ORDERED:

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Jennifer E. Willis  
United States Magistrate Judge